

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ALEXANDRE KANTOR,

Plaintiff,

MEMORANDUM & ORDER
19-CV-3597 (EK) (ST)

-against-

AIR ATLANTIC MEDICAL, P.C., and
ALEXANDER IVANOV, M.D., *individually*,

Defendants.

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ERIC KOMITEE, United States District Judge:

The Court has received Magistrate Judge Tiscione's Report and Recommendation (R&R) dated September 23, 2020. ECF No. 19. Judge Tiscione recommends that that the Court strike Defendants' answer, permit Plaintiff to move for default judgment, and assess sanctions against defense counsel. Neither party has filed objections and the time to do so has expired. Accordingly, the Court reviews the R&R for clear error on the face of the record. See Advisory Comm. Notes to Fed. R. Civ. P. 72(b); accord *Gesualdi v. Mack Excavation & Trailer Serv., Inc.*, No. 09-CV-2502, 2010 WL 985294, at *1 (E.D.N.Y. Mar. 15, 2010). Having reviewed the record, the Court finds no clear error. Accordingly, the Court adopts the R&R in its entirety pursuant to 28 U.S.C. § 636(b)(1). Therefore, the Court (1) strikes Defendants' answer; (2) directs Plaintiff to move for default

judgment within forty-five days after certificates of default issue; and (3) assesses sanctions against defense counsel for the Plaintiff's costs, including attorney's fees, arising from defense counsel's missed court appearances and any motions Plaintiff's counsel had to prepare as a result of those absences. The Clerk of Court is respectfully directed to issue certificates of default against Defendants.

SO ORDERED.

/s Eric Komitee

ERIC KOMITEE

United States District Judge

Dated: December 4, 2020
Brooklyn, New York